12-30 p.m. * The hon. the PRESIDENT :—"In order to appoint the Chairman of the Committee I wish to know whether the Government want to have the Bill considered in this session."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"I am not very particular, Sir. I will leave it to you. I am not in a dreadful hurry about it."

* The hon. the PRESIDENT :—"I do not find Mr. T. C. Srinivasa Ayyangar, one of the panel of chairmen, here and, if the Government want to have the Committee on the 27th, then I have to appoint another gentleman to the Committee."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"I am not in a hurry. If you want to communicate to him you may do so. Otherwise you may be pleased to appoint any other person who is willing to serve on the Committee."

* The hon. the PRESIDENT :—"Mr. T. C. Srinivasa Ayyangar is appointed as Chairman of the Committee."

Mr. G. HARISARVOTTAMA RAO :—"There is a paper handed in, Sir, suggesting a further amendment."

* The hon. the PRESIDENT :—"The amendment was not allowed."

VII

THE MIRZAPURAM AND PEDAGONNUR IMPARTIBLE ESTATES BILL.

The discussion[a] of Mr. B. Ramachandra Reddi's Bill to declare the Mirzapuram and Pedagonnur estates as impartible was then resumed. Sriman Biswanath Das Mahasayo continued his speech.

* Sriman BISWANATH DAS MAHASAYO :—"Mr. President, Sir, last time in the course of my speech I quoted from the Permanent Settlements Regulation of 1802 and Sannad Isthimirars to show that permanently settled estates were given not only to the then holders but also to their heirs, successors and assignees. I also quoted from the proceedings of 1903 of the Legislative Council wherein these very estates of Mirzapuram and Pedagonnur were proposed to be included in the schedule to the Impartible Estates Bill. A full-dress debate took place on it, votes were taken and the result was that they were kept off from the operation of the Act. Having said that, I now proceed to state the position of the Government as stated by the hon. the Leader of the House in his speech opposing the Kirlampudi Estate being taken under the Impartible Estates. I refer to the speech at page 319 on 31st August 1926 wherein the hon. the Revenue Member has stated that the objections of the Government of Madras regarding these estates for their inclusion in the schedule of the Impartible Estates are two :—

(1) That ancient zamindaris and estates of like nature which have descended impartible continuously from 1802, i.e., from the date of the Permanent Settlement Regulation and of which no partition since that date could be proved, are impartible ; and

(2) that the powers of the estate for the time being should be those of the managing member of a Hindu family governed by the ordinary law of succession.

"Sir, judged by these two canons that were enunciated by the hon. Gentleman I think these estates fail and miserably fail because in the very

[a] Please see page 635 of the Proceedings of the Legislative Council, dated 1st February, 1929.

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statement of objects and reasons the hon. the Mover has stated that these estates were made partible by the decisions of the Privy Council in I.L.R. 2 of 1926 and the proposal now is to ride roughshod over the decisions of the law courts and to undo practically what the civil courts have done. Proceeding further the hon. the Leader of the House has stated. . ."

* The hon. the PRESIDENT :—"The hon. Member will not be justified in detaining the House too long."

Sriman BISWANATH DAS Mahasayo :—" No, Sir, I am only looking into the quotation. That is the main reason why we and the Government cannot support this Bill. At the same time the proposal is open to many objections. 'For example, if this Bill is passed anybody else can come forward with similar Bills.' Sir, this prophecy has been justified. Now, shortly after passing the Kirlampudi Estate into an Impartible Estate another estate was added to the list and now we have got two Bills proposing four more estates to be added. I believe if the Council allows such things to go on there will be no end. There are many estates with better claims and if two estates are allowed to come in, why should not the claims of others be considered. Such piece-meal legislation is highly objectionable. If there is a desire to create Impartible Estates, let there be a commission to go round the country and ascertain facts and let us have an all-embracing Act. So, I think it is time that we should declare in emphatic terms against these piece-meal legislations at the desire of any hon. Member. No one knows why and how these things are coming in. Why we should be allotting our time always giving preference to these subjects. Sir, I submit that in this Bill a departure has been made from the main principles of the Impartible Estates Act of 1903. In that Act the principle that was followed was that estates were added which were never partitioned, secondly parts of villages were not included and thirdly inam and mokhasa villages were taken away from the purview of the Act. In the present Bill all these have been violated. So a distinct departure has been made by the hon. the Mover and no justification has been made for taking this new course of action. Just I will take the hon. Members to the schedules given at page 2 of the Bill."

* The hon. the PRESIDENT :—" I am afraid the hon. Member is repeating that portion of his argument. He already referred on the last occasion to the schedule."

Sriman BISWANATH DAS Mahasayo :—"I submit that I have no intention to disobey the Chair. I had stated the general principles and am now only going into details."

* The hon. the PRESIDENT :—" The schedule was referred to on the last occasion."

Sriman BISWANATH DAS Mahasayo :—" Yes, I did refer and now hon. Members will see that 21 agraharams and mokhasa villages are now proposed to be included in the schedule. Certain shares in these villages are proposed to be brought under the schedule. We are at a loss to know the interests and the extent the proprietor in question has in these estates or in portions of these estates. Then, Sir, such a Bill as this brings a limitation on the rights of the ryots of the villages. That is, it limits the power of the zamindar to grant any inam to any people within or outside the estates and secondly the reclamations of waste lands on easy terms of

assessment. I do not think that the proprietor or the holder of the Impartible Estate will ever be able to give on patta waste or poramboke lands on easy terms of assessment for a number of years unless it is only till the life-time of the holder. Thirdly, Sir, there are in every zamindari hetta or home-farm lands. These lands are governed by sections 84, 85, etc., of the Estates Land Act. Once these are declared impartible the Zamindar cannot convert them into patta lands, and it is common knowledge that no Zamindar makes use of these lands through his own men or his own ploughs. If there are any, as the Kumaraga Muttahers it is only an exception. I know the Raja of Parlakimedi has his own farm and I will be glad if the landed aristocracy take to agriculture. What the landlords do is that they transfer all the home-farm lands into patta lands on payment of some money. Once these estates are declared impartible, the Zamindar is deprived of his rights to convert these into ryoti lands and the ryot will go on as merely a tenant at will. So I now appeal to the hon. Members of this House that after sitting eight years you have done nothing to relieve the zamindari ryot. I think you will be doing a grave injustice, if you go on adding to his difficulties. That being the position, I implore hon. Members to think ten times before they give their final approval to the Bill. For such a Bill as this, it is necessary that it should be referred to a Select Committee for more reasons than one. In the first place we do not know as I have already stated the extent of the interest that the Zamindar has in these villages or parts of these villages and we have not had occasion to know what objections the tenants concerned or the inamdars in these inam or mokhasa villages who have got part interests in these villages have to offer against the inclusion of these in the schedule to the Impartible Estates Bill. Knowing nothing about this and not being enlightened as to the possible objections in the inams or agraharam villages we will be doing a grave injustice to the concerned people if we all at once pass this Bill into law. And then, Sir, there is the question, a vexed question, of the junior members of the family of an Impartible Zamindar. It is a matter of regret that the Legislature has not been able to do anything, though promises were forthcoming from the bench, now adorned by my hon. friends belonging to the justicite persuasion, that they will come forward with a Bill of a similar nature to provide for the maintenance of the junior Zamindars. Two and a half years have already passed since we have given our approval to the Kirlampudi Bill. No stalwart of the Justice party has come forward to give the necessary relief. Now I see the de facto leader of the party coming forward with a Bill and practically with the assent of the Government behind him, if and when necessary, either directly or indirectly. This being the position, it is the clear duty of this Council to refer the Bill to a Select Committee to examine the various provisions, the rights and interests of the parties concerned, the possible objections that may be presented by the ryots or the inamdars or the part-owners. Under these circumstances I propose that the Bill in question be referred to the Select Committee and that the whole question be gone through carefully."

12.45 p.m. * Mr. K. R. KARANT :—" I beg to second this motion, Sir. It seems to me that there is some unholy alliance, so far as this Bill is concerned, between the transferred half and the reserved half of Government and a certain section of this House. They have given preference to this Bill over many other Bills some of which were even Government Bills. Last

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time I noticed an anxiety to rush this Bill through all in the course of a day, but thanks to the efforts of my hon. Friend from Ganjam, we have had one more day for this Bill. I am yet to learn from my hon. Friend the Mover or any Member of this House as to what is the urgency or what is the important principle that is involved in this Bill. It has been argued on the other side first of all that the question of this very estate was considered when the Estates Land Act was passed. Again, the highest authority of the law courts in the land, namely, the Privy Council, has also stated that this should not be an impartible estate. And more than all, though I am not much conversant with estates in this part of the country, I feel that so far as we are concerned we cannot give our sign of approval to making more and more estates impartible. I think the more partible the estates are, and more persons get these estates and there is less of landed aristocracy in the land, the better for all of us, and especially the masses in the Province; and as one advocating this view I cannot give my assent to this Bill. I cannot understand why the Government instead of taking a neutral attitude in the matter, are helping the measure, though they seemed to have opposed it at the time the main Act was passed. More than all, I am not for any Bill of this type being rushed through at one sitting of the Council, unless it be a case of very grave emergency legislation. It is not so. So far as I know, no such measure like this was passed in the course of one sitting. So I am very much for a Select Committee sitting over this Bill and hearing all parties interested in the Bill—the tenants and the other estate holders who are interested in the estates—and also considering whether portions of villages or whole villages should go into the measure. All these aspects should be considered by the Select Committee; I very much therefore support this motion."

* The hon. the PRESIDENT:—" The question is that the Bill be referred to a Select Committee."

*Mr. B. RAMACHANDRA REDDI:—" If I begin, Sir, to reply to the remarks of my hon. Friend who moved this motion, it is to point out that he has gone beyond the limits of relevancy. There are certain observations in his speech that require answering. He has pointed out in an elaborate speech the other day, and he has actually repeated the same to-day, that the very principle underlying this Bill is objectionable. But when the Bill was introduced first, when leave was asked for, it had been unanimously agreed to, and the next stage was either to send it to the Select Committee or not to send it. This Bill is not a very elaborate measure; it has only a few sections and at any single sitting the House can go through them. While making out a case for sending this Bill to the Select Committee, he has pointed out that the very principle is bad. There I object to the stand that he has taken. He has pointed out also that there is a Privy Council decision already making the estate partible. I do not think that there is anything to debar us now from making legislation to the effect that it should be made impartible.

" In answer to the several objections he raised regarding the very principle underlying this Bill, I cannot do better than quoting from the speech of His Excellency Baron Ampthill in the Council of 1904. He said—

' In the absence of an aristocracy of wealth, the zamindars are the only existing aristocracy and they are, what is highly important in a non-democratic country, the aristocracy of birth. Their influence, if they chose to exert it, would be social and agricultural, both of which

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are of the first importance in an agricultural country. There seemed to be every reason to believe that the people desired the continuance of the zamindars in dignity and influence rather than their disappearance. But the very existence of these zamindars was menaced. As the Landholders' Association pointed out, the rapid increase of partition suits was undermining the prestige and influence of the zamindars. The partition of property meant the diminution of property, the diminution of property meant the diminution of income, and the diminution of income deprived the landlord of the power of benefiting his tenants. The substitution of a number of small proprietors for the big landlord meant hardship to the people; for the smaller a proprietor becomes, the more he presses on his tenants. It meant also the demoralization of the ancient families; for so long as the younger sons could claim to divide off a share of the paternal acres and live on it at ease, they had no stimulus to go into the world, develop their wits, adopt a profession and strike out a line of their own. These are the evils which we are now seeking to prevent.'

"These remarks which His Excellency, the then President of the Council, made in winding up the debate on the Impartible Estates Act, very clearly explain the position, and I commend them to the consideration of this Council. It is not at all to restrict the privileges and rights of certain zamindar tenants, not at all to deprive the means of livelihood of some of the junior zamindars; it is only to safeguard the interests of an estate which would otherwise go to pieces and would be of no benefit to anybody. In 1904, when they passed that Act, they included 134 estates as impartible; at the same time they did not put any ban upon the further inclusion of estates into that list. Accordingly this Council has passed several impartible estates bills and they have been added on to them.

"Attention has been drawn to the inclusion of shrotriyams under this Estate. If the shrotriyams are included there, it is only the kattubadi income that accrues from these shrotriyam villages that is sought to be added on to that of the estates and not anything else. Further, objection has been raised to the inclusion of part villages into the whole estate. That is not uncommon in the existing impartible estates also. I know in certain impartible estates, portions of villages have been purchased and they are kept on as impartible estates. I therefore find no objection for including parts of villages into the list of villages under this Impartible Estates Bill. Having said so much, I do not think it is quite necessary for me to go on answering the several points raised by the hon. Members attacking the very principle of the Bill itself. The principle has been accepted by this Council already, and I do not think it is quite necessary to review the whole matter once again.

"My hon. Friend Mr. Karant pointed out that this is an unholy alliance between the Government and this portion of the House. I am only sorry that an alliance, whether holy or unholy, could not be formed with my Swarajist friends—though it appeared at one meeting they were going to support the Bill, all on a sudden they seem to have changed their mind. What unholy alliance or holy alliance they contemplated with us, it is not my purpose to reveal. Anyhow I am content to request all Swarajist Members to tackle this question purely on non-party lines, only pointing out the urgency for a measure of this character.

"It has been said that there is no urgency for this legislation and that the Bill may wait for some time to come. No attempt has been made till now to rush through this Council this Bill. It has been before the House and the country since the middle of 1928, and I think this period of eight months or so is more than sufficient to explain either to the Council or the country the objects and reasons of such a Bill as this. It has been pointed out by me already that ample provision has been made to secure the

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interests of the other sons of the zamindar, and so the mover and supporters of the motion to send the Bill to the Select Committee need not be scared away on that score. At the same time I may point out that the father of the sons better knows how to take care of his own sons than those that pose to protect them. In these circumstances, Sir, I do not think it is at all necessary to send the Bill to the Select Committee and try to waste some more valuable time of this Council by unnecessary discussion over this question. The question is very simple and plain and does not require any further discussion. With these remarks I hope that the House will reject this motion."

Mr. L. K. Tulasiram :—" Mr. President, Sir, I had no intention of taking part in this debate. But I now see an attempt to smuggle this Bill through the corridors of the Legislative Council and that is why I wish to speak a few words. The reason put forward for thus rushing with the Bill is that it is a very small Bill. Small things are not always trifling things. The tail-end of the scorpion is a very small thing and yet a sting by the scorpion with that small thing is very dangerous. Therefore I say that although the Bill is a small one, we ought to be very cautious in dealing with it. We should see that this Bill is thoroughly examined by this House. 1 p.m.

" My hon. Friend, Mr. Ramachandra Reddi, took objection to the words 'unholy alliance' used by a member on this side of the House. I am going to prove that there is justification for that remark. The question of zamindari estates was dealt with in 2 Madras, about half a century ago. We are now in 52 Madras. The time when the Nuzvid zamindari was declared to be partible was exactly half a century ago. And all these 50 years no attempt has been made to make these two estates (Mirzapuram and Pedagonnur) impartible. Sir, if these estates are to be made impartible a lot of adjustment of the rights and privileges of the members of the family has to be made.

" My friend from Nellore was saying that when we allow the estates to be partitioned, the landed magnates lose their dignity, position and all that. I agree that it is necessary that their status and dignity and all that are upheld. I feel for them, but at the same time, when they come before this House and say that certain estates should be declared impartible, they must place all their cards on the table. They must not be afraid of coming to the limelight and wish to appear in purdah like gosha ladies and pass through the corridor.

" Now, Sir, what is the motion that has been moved by my hon. Friend Mr. Biswanath Das? It is that the Bill may be referred to a select committee so that it may undergo the post mortem examination by it and then come up to the House for third reading if it stands the test. That is all his proposition.

" No doubt, Sir, the father or the head of the estate can well take care of his sons. But, it is not a question of private arrangement between father and sons. It requires the imprimatur of the Madras Legislative Council before it receives the assent. When a Bill of that kind is brought before the Council asking for certain privileges, there should be no fear of standing in the limelight. It must stand certain tests. When I see that there is reluctance to refer this Bill to the select committee I naturally feel that things are not above board. Moreover, last time an attempt was made to rush through

the Bill before 5 o'clock and had it not been for the great care which you, Sir, exercised as the custodian of the rights of the House, the matter would have ended that day.

" For all these reasons and for the additional reason that no attempt has been made for half a century to reverse the decision of the Privy Council which declared the zamindari estates to be partible, I appeal to hon. Members on all sides of the House to vote for the motion to refer it to a select committee. Sir, when you declare an estate to be impartible it would affect the share of the minor zamindars and there will sometimes be chaos and also trouble To avoid all this I appeal to my hon. Friend to be liberal and not to fight shy of sending it to a select committee. After all, the select committee is not going to kill the measure. It will only examine it in detail. I therefore appeal to hon. Members to refer this to the post mortem of the select committee and see if it stands the test."

* Mr. J. A. SALDANHA :—" Sir, I shall make only a few remarks. We are now trying every means possible to make things safe for democracy. (Mr. K. R. Karant : Hear, hear) But there are dangers also of democracy itself being made unsafe by certain measures. Here is an instance in point. This is a Bill which at first sight appeared to be very simple and we agreed to support it. Now we see that there is a danger of the Bill being passed through this House without mature deliberation. Sir, the very fact that there is opposition to refer it to a select committee has aroused suspicion. I think it is necessary that this Bill should go to the select committee so that we can see what safeguards are necessary and should be provided in the interests of a certain class of people. Therefore I strongly support the motion for referring it to a select committee."

* Mr. R. SRINIVASA AYYANGAR :—" Sir, it is rather difficult to understand why so much heat should be exhibited over this small and simple matter. It has been allowed to remain quiescent for over 50 years and why there should be so much impatience on the part of some hon. Members not to allow five months more for this Bill to come up before the House, I am unable to understand. Unless some friends have considerable distrust of the select committee and unless they think that the Bill is so bad as to be thrown out *in limine* by the select committee, there is no justification to avoid the select committee.

" My hon. Friend Mr. Tulasiram compared the select committee to a post mortem apparatus or a body that carries on the post mortem examination. I do not agree with him for this reason. Post mortem is always held over dead bodies. But in the case of Bills, though the committee may eventually strangle them, the Bills taken before them are supposed to be living ones capable of undergoing operation at the hands of the committee. So, Sir, the select committee is a sort of curative body which tries to save things from starvation if that were possible in the circumstances. It will if possible make the Bill more acceptable by giving it a better form and purge it of its violent provisions. Sir, I submit that no reason has been assigned and no case has been made out for withholding the Bill from the select committee."

* The hon. The PRESIDENT :—" I take it that the House is ready for a vote."

Sriman BISWANATH DAS Mahasayo :—" Sir, may I . . ."

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* The hon. the PRESIDENT:—"The hon. Member's motion is only an amendment and therefore he cannot have a second reply."

Sriman BISWANATH DAS Mahasayo:—"Is there no reply from Government?"

The motion was put and declared lost.

Mr. G. Harisarvottma Rao demanded a poll and the House divided thus:

Ayes.

1. Mr. P. C. Venkatapati Raju.
2. ,, R. Srinivasa Ayyangar.
3. ,, S. Satyamurti.
4. ,, J. A. Saldanha.
5. ,, G. Harisarvottama Rao.
6. ,, C. S. Govindaraja Mudaliyar.
7. ,, Abdul Hameed Khan Sahib.
8. ,, K. V. R. Swami.
9. ,, D. Narayana Raju.
10. ,, K. R. Karant.
11. ,, K. Madhavan Nair.
12. ,, P. Anjaneyulu.
13. Mr. C. Obi Reddi.
14. ,, A. Parasurama Rao Pantulu.
15. ,, C. Ramasomayajulu.
16. ,, T. Adinarayana Chettiyar.
17. Sriman Biswanath Das Mahasayo.
18. Mr. K. Uppi Sahib.
19. ,, M. Narayana Rao.
20. ,, C. N. Muthuranga Mudaliyar.
21. ,, C. Marudavanam Pillai.
22. ,, K. V. Krishnaswami Nayakar.
23. ,, C. Venkatarangam Nayudu.
24. ,, L. K. Tulasiram.

Noes.

1. The hon. Mr. M. R. Seturatnam Ayyar.
2. ,, Mr. S. Muthiah Mudaliyar.
3. ,, Dr. P. Subbarayan.
4. Mr. Hilton Brown.
5. ,, H. A. Watson.
6. ,, C. A. Souter.
7. ,, S. H. Slater.
8. ,, A. McG. C. Tampoe.
9. ,, C. W. E. Cotton.
10. ,, V. Ch. John.
11. ,, M. A. Manikkavelu Nayakar.
12. Tajudin Sahib Bahadur, Syed.
13. Mr. A. B. Shetty.
14. ,, J. Bheemayya.
15. ,, P. J. Gnanavaram Pillai.
16. Zamindar of Singampatti.
17. Subadar-Major S. A. Nanjappah Bahadur.
18. Mr. Al. Ar. Narayanan Chettiyar.
19. ,, K. Krishnan.
20. ,, N. Siva Raj.
21. ,, V. I. Muniswami Pillai.
22. ,, W. P. A. Soundarapandia Nadar.
23. ,, S. Subramania Moopanar.
24. ,, S. V. Vanavudaya Goundar.
25. Mr. S. Venkiah.
26. Rao Sahib R. Srinivasan.
27. ,, F. E. James.
28. ,, R. J. C. Robertson.
29. Rajkumar S. N. Dorai Raja.
30. Zamindar of Kallikota.
31. Mr. U. Ramaswami Ayyar.
32. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur.
33. Zamindar of Gollapalli.
34. Mr. B. Ramachandra Reddi.
35. Rao Bahadur Sir A. P. Patro.
36. Diwan Bahadur P. C. Eithirajulu Nayudu.
37. Mr. P. T. Rajan.
38. ,, T. K. Chidambaranatha Mudaliyar.
39. Khan Bahadur S. K. Abdul Razack Sahib Bahadur.
40. Diwan Bahadur S. Kumaraswami Reddiyar.
41. Khan Sahib T. M. Moidoo Sahib Bahadur.
42. Rao Bahadur K. Sitarama Reddiyar.
43. The Zamindar of Mirzapuram.
44. Kumararaja of Venkatagiri.
45. Mr. A. V. Bhanoji Rao.

Neutral.

1. The hon. Sir Norman Marjoribanks.
2. ,, Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
3. ,, Mr. T. E. Moir.
4. ,, Diwan Bahadur M. Krishnan Nayar.
5. Dr. (Mrs.) Muthulakshmi Reddi.
6. Mr. A. Ranganatha Mudaliyar.
7. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
8. Mr. C. R. Parthasarathi Ayyangar.
9. Mr. Alladi Krishnaswami Ayyar.

Ayes 24. Noes 45. Neutral 9.

The motion was lost.

* Sriman BISWANATH DAS Mahasayo:—"I beg to move that the consideration of this Bill be adjourned to a date three months hence. The reasons are these. I am sorry that this motion has not commanded the 1-15 p.m.

support that it deserves from the hon. Members sitting below the gangway who ought to have supported it. It is a pity that they claim that they are the true representatives of the people and yet they throw off the interests of the people in the zamindaris into the waste-paper basket. Sir, when my hon. Friend remarked that there has been a secret alliance between certain sections of this House. . ."

* The hon. the PRESIDENT :—" He cannot comment upon the previous statements made by hon. Members of this House."

* Sriman BISWANATH DAS Mahasayo :—" All right, Sir. I expected a statement from the hon. the Leader of the House giving out the views of the Government to-day in this matter, but I am sorry to say—I must confess—I was hopelessly disappointed at their attitude."

* The hon. the PRESIDENT :—" I am sorry I must ask the hon. Member to confine his remarks to the reasons for the adjournment."

* Sriman BISWANATH DAS Mahasayo :—" Sir, that is one of the reasons why I ask for adjournment. Sir, in a Bill of this nature where new principles are proposed to be added under the Impartible Estates Act, and new interests are proposed to be created, I believe the Government ought to have made certain enquiries and ought to have made certain statements in support or opposition to the measure that is under consideration. Excepting four hon. Members on the Treasury Benches who remained neutral over this measure, practically all the official and nominated Members have voted for the Bill as if all the necessary preliminaries that have to be gone through have been complied with. In the first place, excepting the mere statement from the hon. the Mover of the Bill that the proprietor concerned has agreed to make this estate impartible, there is nothing else to show that the proprietor has agreed. We are not informed whether the proprietor has satisfied the Government on the many issues involved in this question. Nothing has been placed on the table of the House to show that the zamindar has agreed and the ryots and inamdars were informed. Then, Sir, certain statements have been made in the Statement of Objects and Reasons that a portion of the estate is set apart for the junior members."

The hon. the PRESIDENT :—" I am not able to find how these remarks are relevant to the present discussion."

Sriman BISWANATH DAS Mahasayo :—" Is that your ruling, Sir ? "

* The hon. the PRESIDENT :—" Yes. "

Sriman BISWANATH DAS Mahasayo :—" All that I have said up to now ? "

The hon. the PRESIDENT :—" Yes. "

Sriman BISWANATH DAS Mahasayo :—" That being so, I propose that the consideration of this measure may be postponed to a date three months hence so as to enable the House to get the necessary information on the subject and also for the Government to make the necessary enquiries into the various questions alleged in my speech. With these remarks I move that the consideration of this Bill be postponed to a date three months hence. "

* Mr. J. A. SALDANHA :—" I beg to second this motion very warmly. This Bill is a move against democratic ideas and we see in which direction democracy moves in certain sections of this House. This Bill should be

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before the country for a long time and we should know exactly what limitations are imposed by this Bill. I never expected that a certain section of this House which is boasting itself as the most nationalist party in this House standing for equal treatment to all would be so anti-nationalist, and another section would kill justice while calling themselves 'Justicites.' Why should not we wait patiently for three months so that we may see what limitations and conditions this Bill should be subjected to? Three months, I think, will give us sufficient time for considering this Bill carefully. This Bill will be a precedent for many other Bills. It is very easy for certain people who want to seek their own selfish ends to say that this Bill is a small matter and does not affect the interests of the people in any way. We do not know what difficulties poor people and the tenants in the zamindari villages will be subjected to by the passing of such a measure as this: also what will future scions of the minors have to say. Therefore one would require time to consider the different issues involved in this legislation and I should therefore urge that we should wait for some time before passing this Bill."

* Mr. K. MADHAVAN NAYAR :—"In supporting this motion, I say that it is essential that the Bill should be before the country for some time so that not only the country but the four hon. Members of Government in whose hands the responsibility of conducting the administration of this Presidency is vested, and who have remained neutral neither voting for nor against the measure, may know whether it would be advantageous or disadvantageous to the people if this measure were to be passed. The very fact that they have not made up their minds either for or against the measure—probably because they have not got the necessary materials before them—is a conclusive argument for postponing the consideration of this Bill for some time. I therefore strongly support the adjournment motion."

* The hon. Sir NORMAN MARJORIBANKS :—"It was explained on a previous occasion, when a Bill of this nature was brought, what the attitude of the Government was and it remains the same. I do not wish at this hour to detain the House too long. Government on that occasion pointed out the disadvantages of a measure of this nature, but the House decided to the contrary effect. The Government then decided that they should remain neutral in the matter of Bills of this nature, leaving it to official members to vote as they pleased. The Government have not changed their attitude in any way and they have given effect to it to-day.

"As regards the proposal to adjourn this measure, I do not see how this Bill differs in any way from the Bills that have been accepted by this Council."

* Mr. C. S. GOVINDARAJA MUDALIYAR :—"I did not want to participate in a debate on this motion, but it appears to me that there are certain matters which cannot but bear discussion. There is no doubt that the Bill is sought to be rushed through this House, and that is a very conclusive reason why the consideration of this Bill should be postponed, so that people whose interests may be adversely affected—I mean the zamindari ryots—may have enough of opportunity to put forth their view-points, so that the Council may be in a better position to come to a conclusion and so that the interests of the ryots may be better protected. After all, I fail to see any reason as to why so much haste should actuate the mover and his supporters in passing this Bill. The period of adjournment that is now asked for is only a very short period and it seems to be absolutely necessary so that the

distant parts in that zamindari may be able to make themselves heard and effectively heard, so that every Member of this hon. House may be put in possession of information, detailed and otherwise, and so that they may examine the suggestion in the light of facts which the people may put before them. No case has been made out by the mover of this Bill to the position that the Bill be taken into consideration and immediately passed into law. I do not suppose that if the Bill is not passed at once any jeopardy will overtake the zamindari. On the other hand enough has been put forward from this section of the House that no case has been made out for the purpose of overriding the decision of courts regarding these estates. These considerations do go a great way in making an appeal to hon. Members of this House that the consideration of this Bill should be adjourned for a period enough to enable all the interests to come forward and put forth their view-points. The views put forward by my hon. Friend Mr. Biswanath Das who is more cognizant . . . ."

The hon. the PRESIDENT :—"I do not think the hon. Member is justified in reflecting upon the contentions and replies made by other hon. Members."

Mr. C. S. GOVINDARAJA MUDALIYAR :—"Moreover the hon. the Revenue Member has not thrown any further light upon the subject except stating that the position of the Treasury Bench was one of neutrality. But we find that the whole official block excepting the Executive Councillors have all voted for the Bill, so that our object that the Bill be examined properly in the select committee at least has been defeated. So it behoves Members of this hon. House to give effect to this democratic view that has been put forward especially when the Bill affects a large body of ryots. It is essential that their interests are examined closely and the adjustment between them and the landlords is dealt with in the most equitable manner possible. For all these reasons I submit that the consideration of this Bill be adjourned. There will be time enough for this Council to take up this matter at the next session, i.e. August session. The reason that is urged for passing this Bill is that it is so short and so sweet, viz., that it is a very small measure and that it will not take more than a few minutes. That is the very same cogent reason why I urge that this Bill should be postponed to the next session so that it may be dealt with in a satisfactory manner."

At this stage the House adjourned for lunch.

After Lunch (2-30 p.m.)

IV—*cont.*

ADJOURNMENT MOTION *Re* THE ARREST OF SOME ANDHRA LEADERS.—*cont.*

* Mr. P. C. VENKATAPATI RAJU :—"Mr. President, Sir, I move that the business of the Council be adjourned to discuss a definite matter of urgent public importance, to wit, the unwarranted and illegal arrest, under section 151, Criminal Procedure Code, of some of the Andhra leaders including Konda Venkatappayya Pantulu and Mr K. V. R. Swami Nayudu, M.L.C., on the 17th February 1929, in the City of Madras.

"In addition to the saying that the King can do no wrong, it has come to pass that the Police can do no wrong. The Police have misused the law of the country by putting some necessary provisions of the Indian Penal Code and the Criminal Procedure Code to such misuse that any civilized Government would be ashamed of having such laws on the statute book. The Police in this instance have arrested respectable, honest and sincere leaders